

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

UNITED STATES OF AMERICA,

PLAINTIFF

**ARIENNE JONES, DERIC JONES,
HERSCHEL WILLIAMS, and
TANSHENETTA ROBISKIE,**

PLAINTIFF-INTERVENORS

v.

CIVIL ACTION NO.: 3:20-cv-00729-CWR-LGI

**SSM PROPERTIES, LLC, STEPHEN MAULDING, SR.,
JAMES ROE, and SHEILA MAULDING,**

DEFENDANTS

**UNITED STATES' MOTION FOR ORDER TO SHOW CAUSE AS TO WHY
DEFENDANT JAMES ROE SHOULD NOT BE HELD IN CONTEMPT**

The United States of America (“United States”) respectfully moves the Court to issue an Order to Show Cause as to why defendant James Roe (“Roe”) should not be held in civil contempt for failing to comply substantially with the Consent Decree entered by the Court on November 1, 2022. *See* Consent Decree, ECF No. 145. Pursuant to 42 U.S.C. § 3614(d)(1)(C), the Decree required Roe to pay a civil penalty of \$3,000, payable in six \$500 payments due 90 days after the Court’s entry of the Decree and every 90 days thereafter. Consent Decree ¶ 33. Under this schedule, Roe was required to make his first payment on January 30, 2023, and his second payment on April 30, 2023. Both deadlines have passed and Roe, despite repeated reminders, has not made any payments whatsoever.

The United States is concurrently filing with this Motion a Memorandum of Law that further explains the grounds for this Motion, as well as a declaration from undersigned counsel attesting to the facts underlying this Motion.

WHEREFORE, the United States respectfully prays that this Court:

1. Enter an Order directing Defendant James Roe to appear at a hearing and show cause as to why he should not be held in contempt for failure to comply with the terms of the Consent Decree; and
2. Should Roe not be able to show cause, declare and find Roe in contempt and impose appropriate sanctions necessary to effectuate compliance, as well as any other relief this Court deems just and proper under the circumstances.

Dated: May 15, 2023

DARREN J. LAMARCA
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Respectfully submitted,

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s/ Max Lapertosa
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Attorneys for the United States of America

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2023, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which sent notification of such filing to all counsel of record and I hereby certify that I have caused to be mailed by email and Fed Ex the document to the following defendant at the address listed below:

James Roe
1255 East County Line Road, Apt. D-3
Jackson, MS 39211
jrio6807@gmail.com

s/ Max Lapertosa